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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/748,808 | 12/30/2003 | Phu Khanh Huynh | ATT 2003-0037 | 2104 |
| 26652 | 7590 | 05/03/2005 | EXAMINER | |
| AT&T CORP. P.O. BOX 4110 MIDDLETOWN, NJ 07748 | | | TRAN, QUOC DUC | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2643 | |
| DATE MAILED: 05/03/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/748,808

Applicant(s)

HUYNH, PHU KHANH

Examiner

Quoc D. Tran

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 12-17 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Rantanen et al (US 2004/0028032 A1).

Consider claim 1, Rantanen et al teach a method for detecting inter-carrier looping in a first communication network, said method comprising the steps of: receiving a call with a network counter value, where said network counter value is representative of a number of networks that said call has traversed (pg. 2 ¶ 21); determining whether said network counter value is equal to a threshold value; and terminating said call if said network counter value is equal to said threshold value (i.e., zero) (pg. 2 ¶ 18).

Consider claim 2, Rantanen et al teach wherein said call is terminated (i.e., disconnected) by an access switch of the first communication network (pg. 3 ¶ 44 lines 16-19).

Consider claim 3, Rantanen et al teach wherein the communication network is using a SS7 signaling protocol, where said network counter value is carried within an initial address message (IAM) (pg. 2 ¶ 18).

Consider claim 4, Rantanen et al teach wherein said network counter value is carried within a Hop Counter parameter (pg. 2 ¶ 18).

Consider claim 5, Rantanen et al teach wherein said network counter value is carried within a plurality of unused bits of said Hop Counter parameter (pg. 2 ¶ 18). It should be noted that hop count is recorded in a data packet.

Consider claim 6, Rantanen et al teach wherein said Hop Counter parameter further carries a hop counter value representative of a number of interexchange circuits that are allowed to complete said call (pg. 2 ¶ 18 lines 4-10).

Consider claim 12, Rantanen et al teach the method further comprising: setting an initial value to said network counter value if said network counter value is not set and said network counter value is needed for an outgoing message (pg. 2 ¶ 18).

Consider claim 13, Rantanen et al teach wherein said terminating said call comprises: releasing said call with a release message with a cause value representative of an exchange routing error (pg. 2 ¶ 15 lines 19-21).

Consider claim 14, Rantanen et al teach an apparatus for detecting inter-carrier looping in a communication network, said apparatus comprising: means for receiving a call with a network counter value, where said network counter value is representative of a number of networks that said call has traversed (pg. 2 ¶ 21); means for determining whether said network counter value is equal to a threshold value; and means for terminating said call if said network counter value is equal to said threshold value (i.e., zero) (pg. 2 ¶ 18).

Consider claim 15, Rantanen et al teach wherein said apparatus is an access switch of the communication network (pg. 1 ¶ 5).

Art Unit: 2643

Consider claim 16, Rantanen et al teach wherein the communication network is using a SS7 signaling protocol, where said network counter value is carried within an initial address message (IAM) (pg. 2 ¶ 18).

Consider claim 17, Rantanen et al teach wherein said network counter value is carried within a Hop Counter parameter (pg. 2 ¶ 18).

Consider claim 20, Rantanen et al teach a computer-readable medium having stored thereon a plurality of instructions, the plurality of instructions including instructions which, when executed by a processor, cause the processor to perform the steps comprising of: receiving a call with a network counter value, where said network counter value is representative of a number of networks that said call has traversed (pg. 2 ¶ 21); determining whether said network counter value is equal to a threshold value; and terminating said call if said network counter value is equal to said threshold value (i.e., zero) (pg. 2 ¶ 18).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-11 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rantanen et al (US 2004/0028032 A1).

Consider claim 7, Rantanen et al teach wherein said threshold value is a predefined value (pg. 3 ¶ 44 lines 14-15). Rantanen et al did not suggest wherein threshold value is selectively set

Art Unit: 2643

to a value between 1 to 7. However, it would have been obvious to one of the ordinary to recognize that the value can be any value specified by the network operator's routing algorithm.

Consider claims 8 and 18, Rantanen et al suggest decrementing the counter value until the counter reaches the threshold value of zero. Rantanen et al do not specifically suggest incrementing said network counter value (i.e., hop counter value) to a new network counter value if said network counter value is not equal to said threshold value. However, it would have been obvious to one of the ordinary skill in the art incrementing the value instead of decrementing to serve the same purpose of detecting or restricting the number of hops through the network.

Consider claims 9 and 19, Rantanen et al teach the method further comprising: forwarding said new network counter value and said call to at least one intermediate switch of the first communication network or to an access switch of a second communication network (pg. 2 ¶ 18 lines 8-10).

Consider claim 10, Rantanen et al teach wherein said second communication network is an interconnecting or an egress carrier ((pg. 2 ¶ 18).

Consider claim 11, Rantanen et al teach wherein said new network counter value is not incremented by said at least one intermediate switch (pg. 3 ¶ 45 lines 6-9).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit: 2643

Facsimile responses should be faxed to:

(703) 872-9306

Hand-delivered responses should be brought to:

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and SATURDAY from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

QUOCTRAN
PRIMARY EXAMINER



AU 2643

April 29, 2005